

REMARKS

Reconsideration and allowance of the claims are requested in view of the above amendments and the following remarks. Claims 7, 17, 19 and 25 have been amended. Support for the claim amendments may be found in the specification and claims as originally filed. For example, support for the claim amendments may be found in the specification at least at page 8, lines 10 and 14-15. No new matter has been added.

Upon entry of this amendment, claims 1-30 will be pending in the present application, with claims 1, 10, 19 and 25 being independent.

1. Claim Objections

The Office Action objects to claims 17 and 25. Claims 17 and 25 have been amended to comply with the requirements set forth in the Office Action on page 2.

For at least this reason, reconsideration and withdrawal of the objection to claims 17 and 25 are respectfully requested.

2. Rejections Under 35 U.S.C. §102

The Office Action rejects claims 1, 4-5, 7, 9-10, 14-15, 17-19, 22-23, 25 and 28-29 under 35 U.S.C. §102(a) as being anticipated by Risvik et al. (U.S. Patent Application Publication No. 2005/0102270). Applicants respectfully traverse this rejection for at least the following reasons.

The Office Action on page 4 asserts that Risvik et al. discloses a scorer that calculates a score based on a present set of documents located thus far in the search and on the range of static ranks of a next partition to be scanned and wherein the index scanner scans the next partition to locate documents containing a search word if the calculated score is above a target score (citing paragraphs 35-36). Applicants disagree.

Risvik et al. discloses a search engine comprising a crawler which crawls the WWW and

Type of Response: Amendment
Application Number: 10/762,823
Attorney Docket Number: 305334.01
Filing Date: January 22, 2004

stores pages found on the WWW in a database. An indexer indexes the pages in the database to produce a primary index. A document mapping section maps pages into the database into a plurality of tiers based on a ranking of pages. A fall through algorithm (FTA) is disclosed which dictates when the dispatcher should forward the search query to other tiers of search nodes (see abstract). Risvik et al. discloses that the FTA uses a plurality of variables to determine whether a next tier should be evaluated including hitlimit, percentlimit, ranklimit, termranklimit, and minusablehits (see paragraph 36). However, Risvik et al. discloses that each of these variables is directed to calculations based solely on a presently searched tier. For example, Risvik et al. discloses that the variable hitlimit is the evaluation of the number of hits to be used from a tier before a fall-through to the next tier may be forced. None of the variables disclosed in Risvik et al. are directed to calculating a score based on characteristics of a next partition to be scanned. Therefore, Risvik et al. fails to disclose, or suggest, the element of calculating a score based on a range of static ranks of a next partition to be scanned, as included in independent claim 1. Independent claims 10, 19 and 25 include similar elements. Consequently, since Risvik et al. fails to disclose, or even suggest, each and every element of independent claims 1, 10, 19 and 25, these claims are allowable.

Claims 4-5, 7 and 9 depend from claim 1. Claims 14-15 and 17-18 depend from claim 10. Claims 22-23 depend from claim 19. Claims 28-29 depend from claim 25. As discussed above, claims 1, 10, 19 and 25 are allowable. For at least this reason, and the features recited therein, claims 4-5, 7, 9, 14-15, 17-18, 22-23 and 28-29 are also allowable.

Additionally, in regards to claim 7, the Office Action on page 5 asserts that Risvik et al. anticipates wherein the scorer calculates the score by adding a first weighted portion of the maximum static rank assigned to a document in the next partition to a second weighted portion of the dynamic rank (citing paragraph 4, lines 10-14). Risvik et al. recites the following:

Additionally, the cost of search execution typically corresponds directly to the size of the index searched. To deal with the massive size and amount of data in the WWW, most search engines are distributed and use replication and partitioning techniques (all

Type of Response: Amendment
Application Number: 10/762,823
Attorney Docket Number: 305334.01
Filing Date: January 22, 2004

discussed below) to scale down the number of documents. (see paragraph 4, lines 9-14)

However, Risvik et al. fails to disclose or suggest, in the section cited by the Office Action or elsewhere, calculating a score by adding a first weighted portion of the maximum static rank assigned to a document in the next partition to a second weighted portion of the dynamic rank, wherein the amount of weighting for the first and second weighted portions are determined by a tuning factor input by a user, as included in amended claim 7. As discussed in the specification of the present application:

In step 520, a target score TS and tuning factor α are input. (see page 8, line 10)

The tuning factor α determines the weight given to the static rank of the documents in the next partition relative to the weight given to the dynamic rank. (see page 8, lines 14-15)

Therefore, since Risvik et al. fails to disclose, or even suggest, each and every element of claim 7, this claim is allowable for at least the features recited therein.

For at least the above reasons, reconsideration and withdrawal of the rejection of claims 1, 4-5, 7, 9-10, 14-15, 17-19, 22-23, 25 and 28-29 under 35 U.S.C. §102(a) are respectfully requested.

3. Rejections Under 35 U.S.C. §103

A. Obviousness in view of Risvik et al. and Goodwin et al.

The Office Action rejects claims 2-3, 6, 11-12, 20-21, 26 and 27 under 35 U.S.C. §103(a) as being unpatentable over Risvik et al. in view of Goodwin et al. (U.S. Patent Application Publication No. 2003/0158866). Applicants respectfully traverse this rejection for at least the following reasons.

As discussed above, Risvik et al. fails to disclose, or even suggest, each and every

Type of Response: Amendment
Application Number: 10/762,823
Attorney Docket Number: 305334.01
Filing Date: January 22, 2004

element of claims 1, 10, 19 and 25. Goodwin et al. fails to cure this defect in Risvik et al.

Goodwin et al. is directed to knowledge management systems and more particularly to a system and method for categorizing and normalizing knowledge data based on user's affinity to knowledge (see paragraph 2). Goodwin et al. discloses a system that asynchronously processes data in a knowledge management system. The system may create associations between users and information resources, personalize and organize knowledge for individuals and communities, and provide a place for teams to work, make decisions, and act. It may also create a searchable index, computes document values, and provides a search-and-browse user interface (see paragraphs 16 and 18). However, Goodwin et al. fails to disclose or suggest at least the elements of calculating a score based on a range of static ranks of a next partition to be scanned, as included in independent claim 1. Independent claims 10, 19 and 25 include similar elements. Therefore, since Risvik et al. and Goodwin et al., alone or in combination, fail to disclose or suggest all of the elements of claims 1, 10, 19 and 25, these claims are allowable.

Claims 2-3 and 6 depend from claim 1. Claims 11-12 depend from claim 10. Claims 20-21 depend from claim 19. Claims 26 and 27 depend from claim 25. As discussed above, claims 1, 10, 19 and 25 are allowable. For at least this reason, and the additional features recited therein, claims 2-3, 6, 11-12, 20-21, 26 and 27 also allowable.

For at least the reasons above, reconsideration and withdrawal of the rejection of claims 2-3, 6, 11-12, 20-21, 26 and 27 under 35 U.S.C. §103(a) are respectfully requested.

B. Obviousness in view of Risvik et al. and Olarig et al.

The Office Action rejects claims 8 and 13 under 35 U.S.C. §103(a) as being unpatentable over Risvik et al. in view of Olarig et al. (U.S. Patent Application Publication No. 2004/0143707). Applicants respectfully traverse this rejection for at least the following reasons.

As discussed above, Risvik et al. fails to disclose, or even suggest, each and every element of claims 1 and 10. Olarig et al. fails to cure this defect in Risvik et al.

Type of Response: Amendment
Application Number: 10/762,823
Attorney Docket Number: 305334.01
Filing Date: January 22, 2004

Olarig et al. is directed to cache organization and more particularly to dynamic cache partitioning (see paragraph 5). Olarig et al. discloses a cache-based system that is adapted for dynamic cache partitioning. A cache is partitioned into a plurality of cache partitions for a plurality of entities. Each cache partition can be assigned as a private cache for a different entity. If a first cache partition satisfying a first predetermined cache partition condition and a second cache partition satisfying a second predetermined cache partition condition are detected, then the size of the first cache partition is increased by a predetermined segment and the size of the second cache partition is decreased by the predetermined segment. An entity can perform cacheline replacement exclusively in its assigned cache partition, and also be capable of reading any cache partition (see paragraph 11). However, Olarig et al. fails to disclose or suggest at least the elements of calculating a score based on a range of static ranks of a next partition to be scanned, as included in independent claim 1. Independent claim 10 includes similar elements. Therefore, since Risvik et al. and Olarig et al., alone or in combination, fail to disclose or suggest all of the elements of claims 1 and 10, these claims are allowable.

Claim 8 depends from claim 1. Claim 13 depends from claim 10. As discussed above, claims 1 and 10 are allowable. For at least this reason, and the additional features recited therein, claims 8 and 13 are also allowable.

For at least the reasons above, reconsideration and withdrawal of the rejection of claims 8 and 13 under 35 U.S.C. §103(a) are respectfully requested.

4. Allowable Subject Matter

The Office Action objects to claims 16, 24 and 30 as being dependent upon a rejected base claim, but allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim 16 depends from claim 10. Claim 24 depends from claim 19. Claim 30 depends from claim 25. As discussed above, claims 10, 19 and 25 are allowable. Therefore, claims 16,

Type of Response: Amendment
Application Number: 10/762,823
Attorney Docket Number: 305334.01
Filing Date: January 22, 2004

24 and 30 are dependent upon allowable base claims. For at least this reason, and the additional features therein, claims 16, 24 and 30 are also allowable.

For at least the reasons above, reconsideration and withdrawal of the objection to claims 16, 24 and 30 are respectfully requested.

5. Conclusion

Accordingly, in view of the above amendment and remarks it is submitted that the claims are patentably distinct over the prior art and that all the rejections to the claims have been overcome. Reconsideration and reexamination of the present application is requested. Based on the foregoing, applicants respectfully request that the pending claims be allowed, and that a timely Notice of Allowance be issued in this case. If the Examiner believes, after this amendment, that the application is not in condition for allowance, the Examiner is requested to call the applicants' attorney at the telephone number listed below.


Type of Response: Amendment
Application Number: 10/762,823
Attorney Docket Number: 305334.01
Filing Date: January 22, 2004

PATENT

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, applicants hereby request any necessary extension of time. If there is a fee occasioned by this response, including an extension fee that is not covered by an enclosed check please charge any deficiency to Deposit Account No. 50-0463.

Respectfully submitted,
Microsoft Corporation


Date: January 09, 2007

By: 
Sung T. Kim, Reg. No.: 45,398
Attorney for Applicants
Direct telephone: (703) 647-6574
Microsoft Corporation
One Microsoft Way
Redmond WA 98052-6399

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being electronically deposited with the USPTO via EFS-Web on the date shown below:

January 09, 2007
Date


Signature
Kate Marochkina
Type or Print Name

Type of Response: Amendment
Application Number: 10/762,823
Attorney Docket Number: 305334.01
Filing Date: January 22, 2004